REMARKS

Reconsideration of this patent application is respectfully requested in view of the foregoing amendments, and the following remarks.

In response to the claim objections, abbreviations such as "NRSE" which is an acronym for "Neuron-Restrictive Silencer Element,"has been recited in claim 1.

In response to the claim rejections under 35 U.S.C. 112, second paragraph, claim 1 has been amended by including the method steps of claim 2, as sugggested by the Patent Examiner. Thus, claim 2 was cancelled. Furthermore, the alleged failure to indicate "under what structural or functional parameters the evaluation is indicative or correlative to the preamble of the claims" (page 4 of the Office Action) has been remedied as follows. This is by introducing into claim 1, the phrase "whereby an increased gene reporter activity in the treated sample compared to control indicates that the candidate compound inhibits the activity of the NRSE element." The same wording is found on page 7, second paragraph of the international publication *(WO03/087289)*.

It is true that there are multiple NRSE-like sequences, as acknowledged by the Applicant (see the paragraph bridging pages 18 and 19). However, all of them have in common the RE1/NRSE (Repressor Element 1/Neuron-Restrictive Silencer Element)

concensus sequence, which is the 53 base-pairs palindromic sequence listed on page 3 of the application. This sequence, which is conserved among different NRSEs, is the molecular target of wild-type huntingtin within the BDNF gene (page 3, third paragraph). For the purpose of the invention, any NRSE can be used, provided that it contains such a concensus sequence, which proved to be the target of wt-huntingtin. Therefore, in order to overcome the Patent Examiner's rejection, the expression "NRSE element" currently present in claim 1 has been changed into "NRSE sequence containing SEQ ID No:1", wherein SEQ ID No:1 identifies the 53 base-pairs palindromic sequence listed on page 3 of the application. It is believed that such an amendment now makes the subject matter of claim 1 clear and definite.

In response to the claim rejection under 35 U.S.C. 112, this is in response to the Patent Examiner's allegation of a lack of enablement as far as the treatment and prevention of HD are concerned, for the reason that "a reduction of BDNF activity in HD patients is not sufficient to reasonably conclude that a reduction or complete shutoff of an unspecified NRSE is indicative of the "magic bullet"" (Office Action, page 10). Hence, claim 1 has been amended by replacing the expression "selection of molecules active in the prevention and/or treatment of HD" with "selection of a candidate compound potentialy useful as a drug to prevent and/or treat Huntinton's Disease," in accordance with the patent disclosure (WO03/087289-page 7, lines

13-15 from the bottom).

While it is admissible that any compound able to inhibit NRSE is not necessarily a "magic bullet" for treating HD, undeniably it represents a candidate compound potentially useful for that purpose. It is respectfully submitted that such an amended claim as claim 1 would be commensurate in scope with, and fully enabled by, the patent disclosure.

To summarize the above-proposed amendments to claim 1, claim 1 has been amended to recite as follows:

"A method for the selection of a candidate compound potentially useful as a drug to prevent and/or treat Huntington's Disease, characterized in that the ability of said compound to inhibit the activity of the NRSE element is evaluated by

(a) incubating said compound in the presence of a cell system stably transfected with the NRSE sequence containing SEQ ID No.: 1, inserted upstream of a reporter gene;

(b) evaluation of inhibition of the NRSE sequence activity by measurement of gene reporter activity,

whereby an increased gene reporter activity in the treated sample compared to control indicats that the candidate compound inhibits the activity of the NRSE element."

For all of the above stated reasons, it is respectfully

submitted that "undue experimentation" would not be required for the present invention.

For all these reasons, it is firmly believed that the Specification, the claims, and the present invention, are now in complete compliance with all the requirements of 35 U.S.C. 112. Withdrawal of this ground of rejection is respectfully requested.

A prompt notification of allowability is respectfully requested.

Respectfully submitted,
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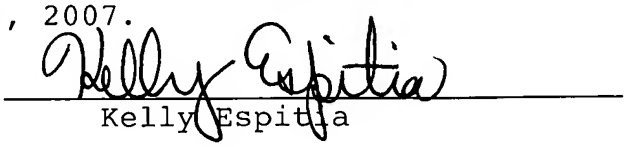
Enclosure: Copy Petition for One Month Extension of Time

I hereby certify that this correspondence is being deposited with the U.S. Postal Service as first class mail in an envelope addressed to: Commissioner of Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on February 28, 2007.



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